United Nations S/2009/652

Security Council

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The Security Council,

Recalling its resolutions and the statements of its President on Burundi, in particular resolutions 1719 (2006), 1791 (2007) and 1858 (2008),

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Burundi,

Reaffirming the importance of the Declaration of the Summit of the Heads of State and Government of the Great Lakes Region on the Burundi Peace Process, which took place in Bujumbura on 4 December 2008 and the agreements reached between the Government of Burundi and the *Forces Nationales de Libération* (Palipehutu-FNL),

Paying tribute to the Regional Peace Initiative, the South African Facilitation, the Partnership for Peace in Burundi, the African Union and the Political Directorate for their sustained engagement in support of Burundi's peace consolidation efforts,

Welcoming the progress achieved by Burundi in key peace consolidation areas, as well as the remaining challenges, in particular the transformation of the Palipehutu-FNL into a political party (FNL), nominating FNL leaders to civil service positions, strengthening good governance, ensuring the sustainability of the disarmament, demobilization and reintegration process, and taking forward the reform of the security sector,

Commending the Government of Burundi and the political parties for the consensus achieved in nominating the members of the Independent National Electoral Commission and the consensual adoption of the revised electoral code, *welcoming* the decision of the Government to provide a legal framework for the Permanent Forum for Dialogue among parties and *recalling* the importance that the elections scheduled for 2010 are prepared and conducted in a free, fair and peaceful environment,

Emphasizing the need for the United Nations system and the international community to maintain their support for peace consolidation and long-term development in Burundi *welcoming* in this regard the holding of the Consultative Group meeting of donors in Paris in October 2009, and the twin mechanism put in place to coordinate international assistance for the elections,

Welcoming the continued engagement of the Peacebuilding Commission in Burundi and the recent visit of the Chairman of the Commission's Burundi

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configuration and *taking note* of the July 2009 biannual review of progress in the implementation of the Strategic Framework for Peacebuilding in Burundi and of the briefing of the Chairman of the Burundi configuration of the Peacebuilding Commission on 10 December 2009,

Recognizing the importance of transitional justice in promoting lasting reconciliation among all the people of Burundi and *welcoming* the process of national consultations on the establishment of transitional justice mechanisms, in accordance with the Arusha Agreements of 2000 and its resolution 1606 (2005),

Noting with concern the continuing human rights violations and restrictions on civil liberties, including restrictions on the freedom of assembly and expression of the political opposition and representatives of civil society and *expressing equal concern* for the reports of violence perpetuated by youth groups associated with some political parties,

Encouraging the Government of Burundi to continue its efforts to fight impunity, and to bring to expeditious conclusion cases of human rights violations, including killings,

Recalling its resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) on women and peace and security, its resolutions 1674 (2006) and 1894 (2009) on the protection of civilians in armed conflicts and its resolutions 1612 (2005) and 1882 (2009) on children and armed conflict,

Having considered the sixth report (S/2009/611) of the Secretary-General on the United Nations Integrated Office in Burundi (BINUB),

1. *Decides* to extend until 31 December 2010 the mandate of BINUB, as set out in resolutions 1719 (2006), and renewed in its resolution 1791 (2007) and 1858 (2008);

2. *Encourages* the Government of Burundi and the FNL to make every effort to achieve the implementation of the 4 December 2008 Agreements, *calls* on all parties to desist from any action that may foster the resumption of tensions and *encourages* them to resolve outstanding issues in the spirit of reconciliation and dialogue enshrined in the Burundian Constitution;

3. *Acknowledges* the contribution brought to peace-building in Burundi by the Regional Initiative, the South African facilitation, the Political Directorate and the Partnership for Peace in Burundi until 2009 and *encourages* the Regional Initiative leaders, the African Union, and other international partners to remain actively engaged on the ground to ensure that the implementation of the 4 December 2008 Declaration is irreversible and to consolidate the peace process;

4. *Reiterates* its request for the Secretary-General, in particular through BINUB, to play a robust political role in support of all facets of the peace process, in full coordination with subregional, regional and international partners;

5. *Decides* that BINUB, working in close cooperation with the Government of Burundi, shall pay particular attention to supporting the electoral process, democratic governance, the consolidation of peace, sustainable reintegration and gender issues;

6. *Recognizes* the primary responsibility of the Government of Burundi and its national partners to create the propitious conditions for the elections in 2010,

urges the Government of Burundi to take the necessary measures to create an environment conducive to the holding of free, fair and peaceful elections in 2010 and *encourages* the Government of Burundi and the political parties to remain engaged in dialogue, in particular through the Permanent Forum for Dialogue;

7. *Urges* the Government of Burundi and the political parties to continue their efforts to preserve the independence and credibility of the Independent National Electoral Commission;

8. *Supports* the launch in September 2009 by President Nkurunziza of a nationwide civic education campaign for the elections and *encourages* the pursuit of civic education activities throughout the electoral process;

9. *Welcomes* the United Nations readiness to assist in the electoral process and *requests* BINUB to be prepared to provide, within its existing resources and if required, logistical support to the Independent National Electoral Commission at crucial phases of the electoral process;

10. *Reiterates* its request to the Executive Representative of the Secretary-General to facilitate and promote dialogue among national and international stakeholders, in particular in the context of the upcoming elections, while continuing to support their efforts to sustain peace and stability;

11. *Encourages* the Government of Burundi, the Peacebuilding Commission, and its national and international partners to honour the commitments they have made under the Strategic Framework for Peacebuilding and *requests* the Peacebuilding Commission, with support from BINUB, to continue to assist the Government of Burundi in laying the foundations for sustainable peace and security, reintegration and long-term development in Burundi and in mobilizing the resources needed to achieve these aims, including for the coming elections;

12. *Encourages* the Government of Burundi to pursue its efforts regarding peace consolidation challenges, in particular democratic governance, security reforms, land tenure, justice and the protection of human rights, with a special focus on women's and children's rights;

13. *Encourages* the Government of Burundi with the support of BINUB and other international partners to step up its efforts to pursue the structural reforms aimed at improving political, economic and administrative governance, with continued focus on the fight against corruption, and *encourages* in particular the implementation of the comprehensive Public Administration Reform Programme (PARP);

14. *Underscores* the importance of security sector reform and *urges* all international partners, together with BINUB, to support the Government of Burundi's efforts to professionalize and enhance the capacity of the national security services and the police, in particular in the fields of training on human rights and sexual and gender-based violence;

15. *Encourages* the Government of Burundi, in collaboration with all international partners, including BINUB, UNDP and the World Bank, to complete the disarmament and demobilization process and the strategy for the sustainable socio-economic reintegration of demobilized soldiers, former combatants, returning refugees, the displaced and other vulnerable groups affected by the conflict,

particularly women and children, and *urges* international partners, particularly the Peacebuilding Commission, to stand ready to support this;

16. *Welcomes* the progress by the Tripartite Commission comprising Burundi, UNHCR and Tanzania towards achieving dignified durable solutions for refugees living in Tanzania and encourages a sustained effort with regards to the residual Burundi refugee caseload;

17. *Encourages* the Government of Burundi, with the support of BINUB and other partners, to continue the national consultations on transitional justice with a view to their timely completion and the publication of the final report, and to ensure that the results of these consultations form the basis for the establishment of transitional justice mechanisms;

18. *Calls upon* the Government of Burundi to pursue its efforts to broaden the respect and protection of human rights, including through the establishment of a credible National Independent Human Rights Commission, in conformity with the Paris Principles outlined in General Assembly resolution 48/134 and further *encourages* it to end impunity and to take the necessary measures to ensure its citizens fully enjoy their civil, political, social, economic and cultural rights without fear or intimidation, as enshrined in the Constitution of Burundi and provided for by international human rights instruments, including those ratified by Burundi;

19. *Expresses* in particular its concern at the continuing sexual and gender-based violence, and *urges* the Government to continue to take the necessary steps to prevent further violations and to ensure that those responsible are brought to justice;

20. *Welcomes* the release of all children by armed groups, *emphasizes* the need for their sustainable reintegration and reinsertion, *welcomes* in this regard the program launched by the World Bank in this field and *urges* the Government, with the support of BINUB, UNICEF and other members of the Country Task Force on the Monitoring and Reporting of Grave Child Rights Violations, to fight impunity for violators of children's rights;

21. *Urges* BINUB to strengthen current provisions for cooperation with the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), within the limits of their respective capacities and current mandate, in cooperation with the Governments of the Burundi and the Democratic Republic of the Congo as appropriate;

22. *Requests* the Secretary-General to provide to the Council a briefing on the electoral process in May 2010 and a full report on the implementation of the mandate of BINUB in November 2010 and *requests* the Secretary-General to incorporate in this report a detailed review of the extent to which the benchmarks set in the 14 August 2006 Addendum (S/2006/429/Add.1) to his report of 21 June 2006 (S/2006/429) have been met, and, following consultations with the Government of the Burundi, to provide recommendations on what changes need to be made to the direction and composition of the UN presence in Burundi, including recommendations on a revised time frame for the transition to a more development-focused presence;

23. *Decides* to remain actively seized of the matter.